

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION

IN RE:

INNOVATIVE MAINTENANCE SERVICES, LLC  
  
Debtor(s).

Chapter 11 Subchapter V  
Case No. 24-60317

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**MOTION TO MODIFY DEBTOR IN POSSESSION ORDER**

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Innovative Maintenance Services, LLC, Chapter 11, Subchapter V Debtor in Possession herein, (“Debtor”) moves the Court to modify the Debtor in Possession Order dated April 2, 2024, and to allow it to continue to maintain its business bank account at First National Bank, and for its reasons states as follows:

1. This chapter 11, subchapter V case was filed on March 27, 2024, and the Debtor has operated as Debtor in Possession since that time.
2. Prior to the bankruptcy filing, the Debtor maintained a business checking account at First National Bank. The Debtor has maintained this account for some time, and the majority of its business customers regularly make electronic payments into the First National Bank account. Changing the ACH payment instructions to the Debtor’s customers would likely cause an interruption in the Debtor being paid.
3. The Debtor is in the process of opening a Debtor in Possession bank account with AXOS Bank, which is on the U.S. Trustee’s approved list of banks. If this Motion is granted, the Debtor would immediately transfer deposits from the First National Bank account to the AXOS Bank DIP account.
4. The Debtor would include statements from the First National Bank account in its monthly operating reports.

5. The Debtor believes that it would be most beneficial to its case and its cash flow to continue to maintain its First National Bank account. Further, the Debtor is prepared to authorize First National Bank to speak to and to disclose information regarding its bank account directly to the United States Trustee.

WHEREFORE, Innovative Maintenance Services, LLC, by counsel, moves this Court to modify its Debtor in Possession Order and allow it to maintain its existing pre-petition bank account at First National, and for such other relief as the Court deems appropriate.

Date: May 2, 2024

Respectfully submitted,

INNOVATIVE MAINTENANCE SERVICES, LLC

By: /s/ Andrew S. Goldstein

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*Counsel for the Debtor*

#### **CERTIFICATE OF SERVICE**

I certify that on this 2<sup>nd</sup> day of May, 2024 I electronically filed the original of the foregoing with the United States Bankruptcy Court for the Western District of Virginia which caused electronic copies to be served on the United States Trustee, the Subchapter V Trustee and all users of ECF that have appeared in this case.

By: /s/ Andrew S. Goldstein